



09-30-04

JFW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Application Number	10/700,139
Filing Date	NOV. 3, 2003
First Named Inventor	WAYNE VAN ETEN
Art Unit	3692
Examiner Name	Jon A. Szumny
Total Number of Pages in This Submission	17
Attorney Docket Number	1609-1

ENCLOSURES (Check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	

After Allowance communication to Technology Center (TC)
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):
POST CARD
RECEIPT

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	JOHN MAIER, III
Signature	John Maier
Date	SEPTEMBER 29, 2004

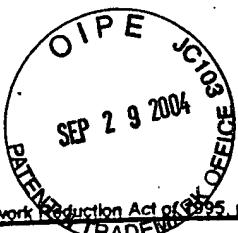
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	JOHN MAIER, III
Signature	John Maier
Date	09-29-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-97)

Approved for use through 09/30/00. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL

Note: Effective October 1, 1997.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 43.00)

Complete if Known

Application Number	10/700,139
Filing Date	NOV. 3, 2003
First Named Inventor	WAYNE VAN ETEN
Group Art Unit	3692
Examiner Name	JON A. SUMNY
Attorney Docket Number	1609-1

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number
Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.16 at the Mailing of the Notice of Allowance

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION

1. FILING FEE

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)		
101	790	201	395	205	Utility filing fee	<input type="text"/>
106	330	206	165	227	Design filing fee	<input type="text"/>
107	540	207	270	227	Plant filing fee	<input type="text"/>
108	790	208	395	205	Reissue filing fee	<input type="text"/>
114	150	214	75	65	Provisional filing fee	<input type="text"/>
SUBTOTAL (1) (\$)						<input type="text"/>

2. CLAIMS	Extra	Fee from below	Fee Paid
Total Claims	-20 =	<input type="text"/> X <input type="text"/>	<input type="text"/>
Independent Claims	- 3 =	<input type="text"/> X <input type="text"/>	<input type="text"/> 43.00
Multiple Dependent Claims		<input type="text"/> X <input type="text"/>	<input type="text"/>

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)		
103	22	203	11	205	Claims in excess of 20	<input type="text"/>
102	82	202	41	227	Independent claims in excess of 3	<input type="text"/>
104	270	204	136	227	Multiple dependent claim	<input type="text"/>
109	82	209	41	227	Reissue independent claims over original patent	<input type="text"/>
110	22	210	11	65	Reissue claims in excess of 20 and over original patent	<input type="text"/>
SUBTOTAL (2) (\$ 43.00)						<input type="text"/>

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Code (\$)	Code (\$)	Code (\$)		
106	130	205	65	65	Surcharge - late filing fee or oath	<input type="text"/>
127	50	227	25	25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139	130	139	130	130	Non-English specification	<input type="text"/>
147	2,520	147	2,520	2,520	For filing a request for reexamination	<input type="text"/>
112	920*	112	920*	920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113	1,840*	113	1,840*	1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115	110	215	55	55	Extension for reply within first month	<input type="text"/>
116	400	216	200	200	Extension for reply within second month	<input type="text"/>
117	950	217	475	475	Extension for reply within third month	<input type="text"/>
118	1,510	218	755	755	Extension for reply within fourth month	<input type="text"/>
128	2,060	228	1,030	1,030	Extension for reply within fifth month	<input type="text"/>
119	310	219	155	155	Notice of Appeal	<input type="text"/>
120	310	220	155	155	Filing a brief in support of an appeal	<input type="text"/>
121	270	221	135	135	Request for oral hearing	<input type="text"/>
138	1,510	138	1,510	1,510	Petition to institute a public use proceeding	<input type="text"/>
140	110	240	55	55	Petition to revive - unavoidable	<input type="text"/>
141	1,320	241	660	660	Petition to revive - unintentional	<input type="text"/>
142	1,320	242	660	660	Utility issue fee (or reissue)	<input type="text"/>
143	450	243	225	225	Design issue fee	<input type="text"/>
144	670	244	335	335	Plant issue fee	<input type="text"/>
122	130	122	130	130	Petitions to the Commissioner	<input type="text"/>
123	50	123	50	50	Petitions related to provisional applications	<input type="text"/>
126	240	126	240	240	Submission of Information Disclosure Stmt	<input type="text"/>
581	40	581	40	40	Recording each patent assignment per property (times number of properties)	<input type="text"/>
146	790	246	395	395	Filing a submission after final rejection (37 CFR 1.129(a))	<input type="text"/>
149	790	249	395	395	For each additional invention to be examined (37 CFR 1.129(b))	<input type="text"/>
Other fee (specify) _____						<input type="text"/>
Other fee (specify) _____						<input type="text"/>
Reduced by Basic Filing Fee Paid						<input type="text"/> SUBTOTAL (3) (\$)

Complete if applicable

SUBMITTED BY			
Typed or Printed Name	JOHN MAIER, III		
Signature	<i>John Maier</i>		
	Date	9-29-04	Reg. Number 20,990
			Deposit Account User ID 09-29-04

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 10/700,139

TITLE: TUBE RETAINER

APPLICANT: WAYNE VAN ETSEN

FILING DATE: NOVEMBER 3, 2003

ART UNIT: 3632

EXAMINER: JOHN A. SZUMNY

DATE OF RESPONSE: SEPTEMBER 29, 2004

DOCKET NO.: 1609-1

Honorable Commissioner for Patents

Alexandria, VA 22313-1450

DEAR SIR:

In response to the Office Action dated June 29, 2004, please amend the Application as follows:

10/01/2004 BSAYAS11 00000088 10700139

01 FC:2201

43.00 0P